



TFCW

2143

PATENT

Attorney Docket No.: AVARS-02200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2143
Michael Lloyd et al.)
Serial No.: 09/903,423) Examiner: Nguyen, Phuoc H.
Filed: July 10, 2001)
For: **SYSTEM AND METHODS FOR**
ROBUST, REAL-TIME
MEASUREMENT OF NETWORK
PERFORMANCE) **TRANSMITTAL LETTER**
)
) 162 N. Wolfe Road
) Sunnyvale, CA 94086
) (408) 530-9700
)
Customer No.: 28960

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

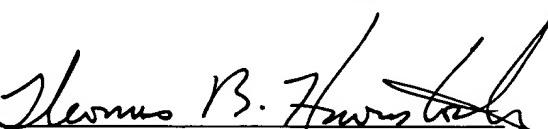
Sir:

Enclosed please find a Supplemental Information Disclosure Statement, a Certification pursuant to 37 C.F.R. § 1.97(e) for the Supplemental Information Disclosure Statement, and Form PTO-1449 including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 7-26-06

By: 
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

- 1 -

HAVERSTOCK & OWENS LLP.

7-26-06 By: 



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PERFORMANCE**

) Group Art Unit: 2143
) Examiner: Nguyen, Phuoc H.
) **CERTIFICATION FOR
SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR § 1.97(e)**
) 162 N. Wolfe Road
) Sunnyvale, CA 94086
) (408) 530-9700
) Customer No.: 28960

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This certification is being made for the Supplemental Information Disclosure Statement accompanying this certification.

Certification

I, the person signing below, hereby certify that the printed publications contained in the enclosed supplemental information disclosure statement were cited within an Official Action mailed on June 6, 2006. Accordingly, I hereby certify that no reference contained within this supplemental information disclosure statement was cited in a communication from a foreign patent office in a related foreign application, and, to the knowledge of the person signing the statement, after making reasonable inquiry, no reference contained within this supplemental information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this supplemental information disclosure statement. 37 C.F.R. 1.97(e)(2).

PATENT
Attorney Docket No.: AVARS-02200

Identification of Person Making Certification

The person making this certification is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 7-26-06

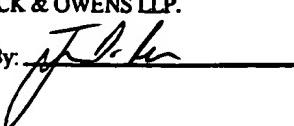
By: 
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Attorneys for Applicants

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- 2 -

HAVERSTOCK & OWENS LLP.

Date: 7-26-06 By: 

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MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- U.S. Patent No. 2002/0087687 A1;
- U.S. Patent No. 2002/0152318 A1;
- U.S. Patent No. 2005/0185654 A1;
- U.S. Patent No. 5,471,623;
- U.S. Patent No. 5,574,938;
- U.S. Patent No. 5,659,796;
- U.S. Patent No. 5,935,216;
- U.S. Patent No. 5,944,779;
- U.S. Patent No. 6,317,778 B1;
- U.S. Patent No. 6,819,662 B1;
- U.S. Patent No. 6,993,584 B2;

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Attorney Docket No.: AVARS-02200

- U.S. Patent No. 7,043,541 B1; and
- U.S. Patent No. 7,043,562 B2.

This Supplemental Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that anyone or more of these citations constitutes prior art.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 7-26-06

By Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

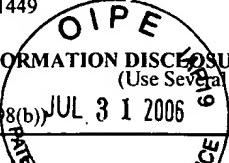
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HAVERSTOCK & OWENS LLP.

Date: 7-26-06 By: J. O. L.

FORM PTO-1449 (Modified) 				U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No.: AVARS-02200	Serial No.: 09/903,423
				Applicant: Michael Lloyd et al.			
				Filing Date: 07/10/2001		Group Art Unit: 2143	
U.S. PATENT DOCUMENTS							
Examiner Initials	Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date	
	AA 2002/0087687 A1	07/04/2002	Zaifman et al.	709	225	09/18/2001	
	AB 2002/0152318 A1	10/17/2002	Menon et al.	709	231	03/04/2002	
	AC 2005/0185654 A1	08/25/2005	Zadikian et al.	370	395.21	04/21/2005	
	AD 5,471,623	11/28/1995	Napolitano, Jr.	395	200.03	02/26/1991	
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	AM 7,043,562 B2	05/09/2006	Dally et al.	709	238	06/09/2003	
	AN						
	AO						
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
	Document Number	Publication Date	Country / Patent Office	Class	Subclass	Translation	
	AP					Yes	No
	AQ						
	AR						
	AS						
	AT						
OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)							
	AU						
	AV						
	AW						
	AX						
	AY						
	AZ						
	BA						
	BB						
	BC						
Examiner:				Date Considered:			
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							